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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT: Richard T. Dean, et al.

SERIAL NO. 08/236,402 EXAMINER: A. Davenport

FILING DATE: May 2, 1994 GROUP: 1811

TITLE: **TECHNETIUM-99m LABELED IMAGING AGENTS**

BOX AF
Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

SECOND REQUEST UNDER 37 C.F.R. 1.129(a)

This is a request for implementation of the transitional procedure after final rejection under 37 C.F.R. § 1.129(a). The Applicant is entitled under § 1.129(a) to have the finality of the Office action mailed January 23, 1996 withdrawn and the attached amendment pursuant to 37 C.F.R. 1.116 considered and entered as a second submission after final as this application claims priority to an earlier application filed under 35 U.S.C § 120 which has been pending more than two years prior to June 8, 1995. Moreover, this request and fee is being submitted prior to filing of any appeal brief. The requisite fee pursuant to 37 C.F.R. 1.17(r) is attached.

Prompt consideration of this Request and a favorable determination are respectfully requested.

Respectfully submitted,



Dated: December 11, 1997

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